

ZETLIN & DE CHIARA LLP
801 Second Avenue
New York, NY 10017
212.682.6800 Phone
212.682.6861 Facsimile
www.zdlaw.com

ZETLIN & DE CHIARA

January 23, 2008

Judge George B. Daniels
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 630
New York, NY 10007

Re: Wood v. Science Applications International Corp., et al.
No. 07 CV 3314 (GBD)

Dear Judge Daniels:

We represent Defendant Skidmore, Owings & Merrill LLP (“SOM”) in the above-referenced matter. We also write on behalf of Jackson Kelly PLLC, who are counsel for Defendant Applied Research Associates, Inc. (“ARA”). The purpose of this letter is to bring to the Court’s attention a related case and several important issues.

First, Relator’s First Amended Complaint (“the Complaint”) in this matter is almost identical to the complaint filed by Relator Morgan Reynolds in case no. 07 CV 4612 (GBD). Indeed, only six of the seventy paragraphs in the Complaint differ substantially from Reynolds’ complaint. Relators Wood and Reynolds are both represented by Jerry Leaphart. Several defendants, including SOM and ARA, previously filed motions to dismiss Reynolds’ Complaint, and those motions are currently pending in this Court. SOM and ARA also filed motions to dismiss Relator Wood’s complaint on January 21, 2008 and January 23, 2008, respectively.

Second, this Court may recall that Mr. Leaphart, as counsel for Relator Reynolds, requested additional time to respond to the defendants’ Rule 12 motions. This Court granted that application and gave Relator Reynolds more than three additional months to file papers in opposition to the motions. Relator Reynolds’ application was based on his claim that the defendants filed, or were about to file, motions that relied on different legal theories. While four defendants filed motions and other defendants joined those motions, all of the motions were based on exactly the same deficiencies in the complaint and for the most part involved the same legal issues, with only a few minor exceptions. Because the Wood and Reynolds complaints are virtually identical (although the common law claims in the Reynolds complaint were removed from Wood’s Complaint), SOM’s and ARA’s motions to dismiss the Wood Complaint are largely the same as their motions to dismiss the Reynolds’ complaint. Based on our conversation

Judge George B. Daniels
January 23, 2008
Page 2

with counsel for the other defendants, we expect that their motions to dismiss the Wood Complaint will also be largely the same as their motions in the Reynolds matter.

Given the similarity of the motions, SOM and ARA respectfully request that this Court deny any application by Relator Wood to expand the briefing schedule for the Wood motions.

Third, SOM and ARA believe that the issues raised in their motions to dismiss the Wood and Reynolds complaints are simple and straightforward. In light of the similarity in those motions and the underlying complaints, SOM and ARA also respectfully request that for the sake of brevity and judicial economy, and in the unlikely event that this Court orders oral arguments on those motions, it consolidates those arguments.

Thank you very much for your attention to this matter. Please feel free to contact me at (212) 300-1485 if you have any questions.

Sincerely yours,



Chad E. Sjoquist